



King County Board of Ethics
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KING COUNTY BOARD OF ETHICS MEETING NOTICE

When: Tuesday, January 16, 2001, at 4:30 p.m.

Where: Bank of California Building
900 Fourth Avenue, 4th Avenue and Marion Street, Seattle
5th floor conference room (NORTHWEST corner of building)

AGENDA

1. **Approval of Agenda**
2. **Approval of Meeting Minutes of December 18, 2000 and January 6, 2001.**
3. **Financial Disclosure Program.**
 - Approve 2001 forms
 - First notice to directors
 - Training
4. **Mileage and Parking Reimbursement Policy.** Information.
5. **Authorization for Distribution of Board Materials.** Determine authorization per Procedures for Meetings of the King County Board of Ethics.
6. **Staff Report**
 - Retreat Outcomes and Action Items
 - Compliance with Code Requirements by Department of Transportation
 - COGEL Conference
 - Staff vacations
7. **Post Employment Provision.** Continued review and discussion.
8. **Executive Session.**

cc: Ron Sims, King County Executive
King County Councilmembers
Duncan Fowler, Director–Ombudsman, Office of Citizen Complaints
Sheryl V. Whitney, Director, DIAS
James J. Buck, Deputy Director, DIAS
Carl A. Johansen, Senior Deputy Prosecuting Attorney

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are available by calling (206) 296-1586 or TTY 1-800-833-6388.

ALTERNATE FORMATS AVAILABLE

Minutes of the January 16, 2001, Meeting of the King County Board of Ethics

The January 16, 2001, of the King County Board of Ethics was called to order by Chair Price Spratlen at 4:30 p.m. Board members in attendance were:

Lois Price Spratlen, Ph.D., Chair
Margaret T. Gordon, Ph.D.
Lembhard G. Howell, Esq.
Rev. Paul F. Pruitt
Mr. Roland H. Carlson was excused

Others in attendance:

Ms. Catherine A. Clemens, Administrator
Mr. Carl A. Johansen, Senior Deputy Prosecuting Attorney
Mr. James J. Buck, Deputy Director, Department of Information and Administrative Services
Peter Toliver, Financial Disclosure Coordinator

1. *Proposed Agenda.* Chair Price Spratlen requested the addition of an executive session as the last agenda item for the purpose of reviewing the performance of a public employee. With that addition, Mr. Howell moved, and Rev. Pruitt seconded, that the board approve the proposed agenda. The board unanimously adopted the motion.

Chair Price Spratlen asked for introductions from those present.

2. *Approval of Meeting Minutes of December 18, 2000 and January 6, 2001.* Rev. Pruitt moved, and Dr. Gordon seconded, that the Board approve the December 18, 2000, meeting minutes. The board unanimously adopted the motion. With minor corrections, Mr. Howell moved, and Dr. Gordon seconded, that the Board unanimously approve the January 6, 2001 meeting minutes. The board unanimously adopted the motion.

3. *Financial Disclosure Program.* The board reviewed the Statements of Financial and Other Interests for employees. Following discussion, Dr. Gordon moved and Rev. Pruitt seconded that the employee forms be approved. The board unanimously adopted the motion. Following further review, Dr. Gordon moved and Rev. Pruitt seconded that the form for members of King County boards, commissions and other multimember bodies be approved. The board unanimously adopted the motion.

Ms. Clemens briefed the board on ethics office activities thus far, including timely notice to directors, coordinators and staff liaisons that the annual program had begun and four training opportunities offered to coordinators and staff. Mr. Toliver distributed examples of the training packets that included timelines, criteria for filing, sample statements, last year's roster of affected filers, county wide-roster of department coordinators and staff liaisons, and suggestions for achieving 100% compliance this year.

Dr. Price Spratlen noted the level of work accomplished and the positive response thus far from departments. She expressed appreciation that Mr. Toliver is working as disclosure coordinator this year.

4. *Mileage and Parking Reimbursement Policy.* The board reviewed the memo from Mr. Buck to Ms. Clemens, dated September 7, 2000, regarding board reimbursement for expenses. The memo clarified county policy on this issue and noted that Chapter 3.24 of the King County Code specifically excludes board and commission members from expense reimbursement. Ms. Clemens also drew the board's attention to Executive Policy PER 17-1-2 (AEP) that reiterates KCC 3.24. The board agreed to mention this issue in the

upcoming meeting with the executive to seek understanding of why this policy was established. Chair Price Spratlen suggested that the board propose to Mr. Buck that the department purchase parking spaces in the Bank of California Building specifically for meeting dates.. Dr. Gordon asked if the meeting place could be changed. Ms. Clemens stated that the current location is stipulated in the Procedures for Meetings and that it is one of the few rooms that is accessible, appropriate and consistently available. It is also convenient for staff and is free to tenants. The board decided to explore all reasonable options and begin with a discussion with the executive.

5. *Authorization for Distribution of Board Materials.* Ms. Clemens briefed the board on Procedures for Meetings of the King County Board of Ethics, specifically the distribution of board materials prior to meetings. She informed the board of additional requests for such materials. Following discussion, Mr. Howell moved that the board authorize distribution of complete meeting packets to Sheryl V. Whitney, DIAS Director, James J. Buck, Deputy Director, DIAS, and Duncan Fowler, Ombudsman, including draft materials and briefing notes prepared by the ethics administrator, but excluding confidential materials prepared by board counsel; further that such confidential materials prepared by board counsel be authorized on a case-by-case basis. Rev. Pruitt seconded the motion and the board unanimously approved the motion.

6. *Staff Report. Retreat Outcomes and Action Items.* The board reviewed outcomes and action items determined at the January 6, 2001, special meeting and annual retreat. Dr. Gordon requested the inclusion of activity incentives for the administrator. The board decided to add a formal Message from the Board and Executive Summary as a part of the 2000 Annual Report. With these additions, the board approved the document.

Mr. Buck arrived at 5:14 p.m.

Compliance with Code Requirements by Department of Transportation. Ms. Clemens briefed the board on a situation involving employees within Roads Division, Department of Transportation. In the course of reviewing both a financial disclosure form for a new DOT employee and a consultant disclosure form for the company with which she formerly worked, the ethics administrator determined a code violation might have occurred. It appeared that the employee in question had moved directly from private consultant employment to county employment and had been assigned to participate on contracts between the county and her former employer within one year of beginning county employment. Such actions required the authorizing memo. The necessary authorizing memo from the appointing authority, required by KCC 3.04.030(G), had not been written. After considerable communication between the ethics administrator and managers of the division, the authorizing memo was written and appropriately filed with the Clerk of the Council and Ombudsman. Additional benefits from this situation included greater communication between the two offices, a greater awareness of the Code of Ethics by DOT management, the assignment of a new division employee to deal specifically with ethics issues and a systematic plan put into place regarding new DOT employee orientation. COGEL Conference. Ms. Clemens briefed the board on the 22nd Annual COGEL conference. Among important information learned was that: 1) the county's financial disclosure program is working well, particularly in comparison to other jurisdictions; and 2) that electronic filing for forms is still in its developmental stage, is expensive and labor intensive, and may not be a good choice for filing disclosure statements at present. Staff Vacations. Ms. Clemens informed the board of upcoming staff vacation schedules.

7. *Post Employment Provision.* Mr. Johansen briefed the board and led a discussion of the balance between brevity and completeness in the drafting of the amendment. Dr. Gordon suggested moving certain clauses toward the front of the amendment, particularly those activities that are allowed. Following discussion, Dr. Gordon moved to change the referenced two years prohibitions to one year; Mr. Howell seconded the motion and the

motion passed unanimously. Mr. Johansen noted that, if the board wished to shorten the amendment, section D could be eliminated since it had a narrow and specific focus. Mr. Howell moved to remove section D and edit language in section E; Rev. Pruitt seconded the motion and the motion passed unanimously. Chair Price Spratlen suggested, and the board agreed, that a corrected version of the proposed amendment be presented to the board at the next meeting with the intent of final approval and moving the document to the public review stage.

Mr. Toliver left the meeting at 5:58 p.m.

Due to the hour, the board agreed to table Item 8, Filing Orders and Decisions, until the next board meeting.

8. *Executive Session.* At 6:00 p.m. Chair Price Spratlen requested that the meeting move into executive session for the purpose of discussing the performance of a public employee. The Chair announced that the executive session would conclude in five minutes.

At 6:05 p.m., the board completed the executive session and resumed its regular meeting.

Dr. Gordon moved, and Rev. Pruitt seconded, a motion to adjourn the meeting. The board unanimously approved the motion and the meeting was adjourned at 6:06 p.m.

Approved this _____ day of _____, 2001, by the King County Board of Ethics.

Signed for the Board: _____
Dr. Lois Price Spratlen, Chair